

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

v.

**RANDOPH MILLS**  
Defendant

Criminal No. 05-CR-30018 -JLT

**GOVERNMENT'S MOTION TO  
STAY EXECUTION OF SENTENCE OF PROBATION AND DEPORTATION,  
AND FOR EXPEDITED RULING ON THIS MOTION**

The government respectfully moves this Court to stay the execution of its probationary sentence and to order a stay of the impending deportation of the defendant so that the government's appeal is not undermined by the defendant's deportation. The government also requests that the Court rule on this motion by next Friday (November 3, 2006), so that if the Court should deny the motion, the government may timely seek relief from the Court of Appeals.<sup>1</sup>

On August 16, 2006, the Court sentenced the defendant to probation, having ruled that the defendant "served enough time in jail on this offense." [Transcript of August 16 disposition, page 9]. The defendant had pleaded guilty on May 11, 2006 to re-entering the country after deportation. During the pendency of this federal case, the defendant was in state custody in

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<sup>1</sup>To seek a stay from the First Circuit, the government must obtain approval from the Solicitor General's Office and it would need to do that in this case.

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DOCKETED

*Denial*  
*Tamm NJ*  
*10/31/06*